

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

CHALPIN REALTY SC, LLC,	) Civil Action No: 4:22-cv-02651-JD
	)
Plaintiff,	) <b>NOTICE OF MOTION FOR</b>
	) <b>SUMMARY JUDGMENT</b>
vs.	)
	) <i>Oral Argument Requested</i>
JERSAM REALTY, INC.,	)
	)
Defendant.	)
	)

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**PLEASE TAKE NOTICE** that Plaintiff Chalpin Realty SC, LLC, by and through its undersigned attorneys, will move before the Honorable Judge Joseph Dawson, III, U.S.D.J, at a date and time to be set by the Court, for an Order pursuant to Rule 56, FRCP, granting Plaintiff summary judgment as follows:

- a. on its first cause of action in the amount of \$1,000,000.00, representing the Defendant's Downpayment ("Downpayment") at issue in the Action, plus pre-judgment interest from June 23, 2022;
- b. on its second cause of action, declaring Plaintiff is entitled to the Downpayment and that the Escrowee, Haynsworth Sinkler Boyd, PA., currently holding the Downpayment, be directed to disburse the Downpayment to the Plaintiff;
- c. as the prevailing party, setting down a hearing for the purpose of Plaintiff establishing its attorney's fees and costs incurred in connection with this Action pursuant to the Contract of Sale at issue in the Action;
- d. dismissing the answer, counterclaims, and affirmative defenses of Defendant Jersam Realty, Inc.; and
- e. granting such other and further relief as this Court may deem to be just and proper.

This Motion will be supported by the pleadings and exhibits in this matter, along with any affidavits, memoranda, and oral arguments presented to the Court. This Motion will be further

based on the Federal Rules of Civil Procedure and the common and statutory laws of South Carolina.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's Order dated October 25, 2022, opposition papers shall be filed on or before January 27, 2023, and any reply papers shall be filed on or before February 10, 2023.

Respectfully submitted,

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**AND**

KISHNER MILLER HIMES P.C.

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**Attorneys for Chalpin Realty SC, LLC**

Charleston, South Carolina  
December 21, 2022